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Steven D. Kim

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EXAMINER

AILES, BENJAMIN A

ART UNIT

PAPER NUMBER

2142

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/766,473

Applicant(s)

KIM ET AL.

Examiner

Benjamin A. Ailes

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2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8,9 and 12-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8,9,12-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 30 November 2006 has been entered.
2. Claims 8, 9, 12-32 remain pending.
3. The priority date for this application is 05 May 2000.

Terminal Disclaimer

4. The terminal disclaimer filed on 30 November 2006 disclaiming the terminal portion of any patent granted on this application that would extend beyond the expiration date of Patent Number 6,842,769 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Amendment

5. Applicants' amendment to the specification with respect to cross-referenced applications has been entered into the record. The prior specification objection has been withdrawn.
6. Applicants' amendment to claim 25 has been entered into the record. The prior claim 25 claim objection has been withdrawn.

Claim Objections

7. Claims 12 and 24 are objected to because of the following informalities: In accordance with MPEP 608.01(i), where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. Applicant is requested to amend the claims in order to be in conformance with MPEP 608.01(i) claim structure in order to increase readability of the pending claims. Appropriate correction is required.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 12, 14, 18, 20, 24-27, 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Frailong et al. (US 6,496,858 B1), hereinafter referred to as Frailong.

10. Regarding claim 12, Frailong discloses a method of synchronizing configuration parameters (col. 5, ll. 16-19) on a server with a database of stored configuration parameters (col. 5, ll. 24-26) comprising automatically updating at least one application program configuration parameter in response to updating at least one corresponding stored application configuration parameter in said database (col. 17, ll. 54-59), wherein each application program configuration parameter defines at least in part a set of

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resources on the server available to a particular customer of a web hosting provider (col. 5, ll. 37-40).

11. Regarding claim 14, Frailong discloses the method wherein the set of resources comprises a network address (col. 5, ll. 37-40).

12. Regarding claim 18, Frailong discloses an information processing system comprising:

at least one network server running at least one application program, wherein application program operation is defined at least in part by a set of configuration parameters stored on said at least one network server and associated with said application program operation (col. 4, ll. 58-65, device contains APIs and communications with a remote server);

a database separate from said at least one network server and storing a copy of said set of configuration parameters (col. 5, ll. 30-36, remote management stores configuration parameters in a repository); and

means for automatically maintaining synchronization between said set of configuration parameters stored on said at least one network server and said copy of said set of configuration parameters stored in said database, wherein the server is operated by a web-hosting provider and wherein each application program configuration program parameter defines at least in part a set of resources on the network server available to a particular customer of the web hosting provider (col. 17, ll. 54-59).

13. Regarding claim 20, Frailong discloses the method wherein the set of resources comprises a network address (col. 5, ll. 37-40).

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14. Regarding claim 24, Frailong discloses a method of synchronizing configuration parameters (col. 5, ll. 16-19) on a server with a database of stored configuration parameters (col. 5, ll. 24-26) comprising automatically updating at least one application program configuration parameter in response to updating at least one corresponding stored application configuration parameter in said database (col. 17, ll. 54-59), wherein each application program configuration parameter defines at least in part a set of resources on the server available to a particular customer of a web hosting provider (col. 5, ll. 37-40).

15. Regarding claim 25, Frailong discloses the method wherein the server is operated by a web-hosting providing (col. 5, ll. 24-31) and each application program configuration parameter defines at least in part a set of resources on the server available to a particular customer of the web hosting provider (col. 5, ll. 37-40).

16. Regarding claim 26, Frailong discloses an information processing system comprising:

at least one network server running at least one application program, wherein application program operation is defined at least in part by a set of configuration parameters stored on said at least one network server and associated with said application program operation (col. 4, ll. 58-65, device contains APIs and communications with a remote server);

a database separate from said at least one network server and storing a copy of said set of configuration parameters (col. 5, ll. 30-36, remote management stores configuration parameters in a repository); and

means for automatically maintaining synchronization between said set of configuration parameters stored on said at least one network server and said copy of said set of configuration parameters stored in said database, wherein the server is operated by a web-hosting provider and wherein each application program configuration program parameter defines at least in part a set of resources on the network server available to a particular customer of the web hosting provider (col. 17, ll. 54-59).

17. Regarding claim 27, Frailong discloses the method wherein the server is operated by a web-hosting providing (col. 5, ll. 24-31) and each application program configuration parameter defines at least in part a set of resources on the server available to a particular customer of the web hosting provider (col. 5, ll. 37-40).

18. Regarding claim 29, Frailong discloses the method wherein the set of resources comprises a network address (col. 5, ll. 37-40).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

21. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frailong in view of Wilson (US 6,718,347).

22. Regarding claim 8, Frailong teaches the updating of information in a database ((col. 17, ll. 54-59) but does not explicitly teach reversing a database update in the event of an indication of an error during the process of updating the server. However, in related art, Wilson teaches on this aspect wherein Wilson teaches the detection of errors when performing database operations and when an error has been detected commands can be re-executed. One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to incorporate the teachings of Wilson with the teachings of Frailong. One of ordinary skill in the art would have been motivated to make such a combination as suggested by Wilson wherein Wilson teaches the importance of coherence between databases on separate servers (col. 2, ll. 50-58) and the reduction of error occurrences (col. 19, ll. 11-14).

23. Regarding claim 9, Frailong teaches the updating of information in a database (col. 17, ll. 54-59) but does not explicitly teach the method of additionally comprising suspending a database update for a predefined period. However, in related art, Wilson teaches on this aspect wherein Wilson teaches the usage of a timer to delay open database commands. One of ordinary skill in the art at the time of the applicants' invention would have found it obvious to incorporate the teachings of Wilson with the

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teachings of Frailong. One of ordinary skill in the art would have been motivated to make such a combination as suggested by Wilson wherein Wilson teaches the importance of coherence between databases on separate servers (col. 2, ll. 50-58) and the reduction of error occurrences (col. 19, ll. 11-14).

24. Claims 13, 15-17, 19, 21-23, 28, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frailong in view of Dan et al. (US 6,560,639 B1), hereinafter referred to as Dan.

25. Regarding claim 13, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising disk space. However, in related art, the set of resources including disk space is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including disk space in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote disk space efficiently (Dan, col. 2, ll. 11-15).

26. Regarding claim 15, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising memory space. However, in related art, the set of resources including memory space is deemed an obvious variation in view of Dan wherein Dan teaches the

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use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including memory space in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote memory space efficiently (Dan, col. 2, ll. 11-15).

27. Regarding claim 16, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising communication bandwidth. However, in related art, the set of resources including communication bandwidth is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database that is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including communication bandwidth in order to provide users an efficient or fast interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote locations through efficient communication bandwidth (Dan, col. 2, ll. 11-15).

28. Regarding claim 17, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising processor capacity. However, in related art, the set of resources including

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processor capacity is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database that is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including processor capacity in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote processor capacity efficiently (Dan, col. 2, ll. 11-15).

29. Regarding claim 19, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising disk space. However, in related art, the set of resources including disk space is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including disk space in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote disk space efficiently (Dan, col. 2, ll. 11-15).

30. Regarding claim 21, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources

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comprising memory space. However, in related art, the set of resources including memory space is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including memory space in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote memory space efficiently (Dan, col. 2, ll. 11-15).

31. Regarding claim 22, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising communication bandwidth. However, in related art, the set of resources including communication bandwidth is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database that is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including communication bandwidth in order to provide users an efficient or fast interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote locations through efficient communication bandwidth (Dan, col. 2, ll. 11-15).

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32. Regarding claim 23, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising processor capacity. However, in related art, the set of resources including processor capacity is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including processor capacity in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote processor capacity efficiently (Dan, col. 2, ll. 11-15).

33. Regarding claim 28, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising disk space. However, in related art, the set of resources including disk space is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including disk space in order to provide users an interface with a web management server side application. One of ordinary skill in the

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art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote disk space efficiently (Dan, col. 2, ll. 11-15).

34. Regarding claim 30, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising memory space. However, in related art, the set of resources including memory space is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including memory space in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote memory space efficiently (Dan, col. 2, ll. 11-15).

35. Regarding claim 31, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising communication bandwidth. However, in related art, the set of resources including communication bandwidth is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database that is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including communication bandwidth in order to provide users an efficient or fast interface with a

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web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote locations through efficient communication bandwidth (Dan, col. 2, ll. 11-15).

36. Regarding claim 32, Frailong teaches the configuration information being related to resources available to a client but does not explicitly teach the set of resources comprising processor capacity. However, in related art, the set of resources including processor capacity is deemed an obvious variation in view of Dan wherein Dan teaches the use of a database which is made available as a network resource to a client over a network (fig. 2, item 50). It would have been obvious to one of ordinary skill in the art at the time of the applicants' invention to incorporate the teachings of Dan with Frailong by providing a set of resources on the server including processor capacity in order to provide users an interface with a web management server side application. One of ordinary skill in the art would have been motivated to combine Dan with Frailong in order to enable a user to interface to remote processor capacity efficiently (Dan, col. 2, ll. 11-15).

Response to Arguments

37. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

38. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsuda et al. (US 7,039,688 B2) teaches a method and apparatus for automatic network configuration.

Gu et al. (US 6,892,230 B1) teaches dynamic self-configuration for ad hoc peer networking using mark-up language formatted description messages.

Reilly et al. (US 6,996,510 B1) teaches a system and method for modeling communication networks.

Kee et al. (US 7,113,962 B1) teaches a method and system for automatically updating content stored on servers connected by a network.

Nixon et al. (US 7,127,460 B2) teaches accessing and updating a configuration database from distributed physical locations within a process control system.

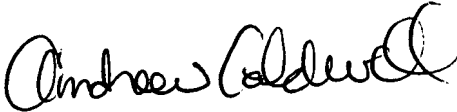
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

baa



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